

To: Price-Fay, Michelle[Price-Fay.Michelle@epa.gov]
Cc: rogers, rick[rogers.rick@epa.gov]; McGuigan, David[McGuigan.David@epa.gov]; Dinsmore, Andrew[Dinsmore.Andrew@epa.gov]; Donahue, Lisa[Donahue.Lisa@epa.gov]; Bennett, James[bennett.james@epa.gov]
Sent: Thur 11/16/2017 6:52:13 PM
Subject: RE: Mountaire-Millsboro

Michelle,

In a nutshell since 1987 when Mountaire acquired the property, it was used as a poultry processing facility whose waste management system is operated under a Delaware state permit issued for a waste lagoon and spray irrigation fields. Since the 2003 EPA Order Mountaire has been supplying EPA and DNREC with 1/4ly groundwater reports from 7 monitoring wells down gradient on their property. We have been monitoring this data to see if at any point the Nitrate levels in the groundwater reliably and consistently stay below the MCL. The Order also states Mountaire must provide a plan for a permanent alternate water supply, that plan was submitted to EPA, DNREC and DHSS and approved by EPA after consultation with the state agencies and all the .

We have not had any reason to believe that Mounaire has not been fulfilling any section of the Order, and for a short while before the FOIA request appeared we have been reaching out to Mountaire through a telephone call and a letter (under construction with ORC guidance) to verify that they are still in compliance with all sections of the Order.

I'm not sure if any of this helps, but let me know if it does and if you need more info.

Amy

From: Donahue, Lisa
Sent: Wednesday, November 15, 2017 6:50 AM
To: Price-Fay, Michelle <Price-Fay.Michelle@epa.gov>
Cc: rogers, rick <rogers.rick@epa.gov>; McGuigan, David <McGuigan.David@epa.gov>; Dinsmore, Andrew <Dinsmore.Andrew@epa.gov>; Cohen, Amy <Cohen.Amy@epa.gov>
Subject: Mountaire-Millsboro

Hi Michelle,

We do still have an open enforcement action with this facility, and interest seems to be picking up. We recently received a FOIA for some specific info the FOIA. Here's a copy of the Order.

Ex. 6 - Personal Privacy

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It seems like there's no definitive timeline for this request, but since Amy will be looking into the file for the FOIA she should be able to gather some information for the Inland Bays program too.

Lisa

Lisa M. Donahue

Ground Water and Enforcement Branch

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Fall has always been my favorite season. The time when everything bursts with its last beauty, as if nature had been saving up all year for the grand finale. Lauren DeStefano

From: Price-Fay, Michelle

Sent: Tuesday, November 14, 2017 5:09 PM

To: Donahue, Lisa <Donahue.Lisa@epa.gov>

Cc: Bennett, James <bennett.james@epa.gov>; rogers, rick <rogers.rick@epa.gov>; McGuigan, David <McGuigan.David@epa.gov>; Dinsmore, Andrew <Dinsmore.Andrew@epa.gov>

Subject: Mountaire - millsboro

Lisa,

I received a call today from the Executive Director of the Inland Bays program one of our national estuary programs. He was asking me some questions about a previous enforcement action at the Mountaire facility that provided drinking water to areas residents and also asked about the status of any current action.

Based on my understanding, the subject facility spray irrigates their Waste Water (permissible by the State under their state permit). They no longer have an NPDES permit. This facility is in the inland bays and he is interested in the difference if any between what is going on now and what the historic action was that EPA took previously. I did speak with Rick to share the questions posed to me and I let him know that I would be following up with you.

If you have any information on the previous action and/or if we have had any discussions with the state on the current concerns that you could share with me I would appreciate it.

His concern stems from the fact that this facility is located in the inland bays and is a big source of nutrients from their operation. In addition there are residents who he understands are on drinking water due to concerns with their drinking water source. They are looking at working with DRNEC to do a public information session for the community. This is a tentative idea and he is interested in getting some

Michelle Price-Fay, Associate Director

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